

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :
v. : 07 Cr. 769 (JGK)

CORNELL CARR :
: :
Defendant. :
-----x

AFFIRMATION OF CORNELL CARR
IN SUPPORT OF MOTION TO SUPPRESS
POST-ARREST STATEMENTS

CORNELL CARR declares under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am the defendant in this criminal case and I make this affirmation in support of a motion pursuant to Federal Rules of Criminal Procedure 12 and 41 to suppress post-arrest statements obtained by law enforcement authorities in violation of my constitutional rights. Since the purpose of this affirmation is to show that my constitutional rights were violated, my attorney has advised me that it is not necessary to include every detail of the incidents described below, and I have not done so.

2. On August 9, 2007, I was present in an apartment at 15 West 139th Street, #15K, in New York when police officers entered the apartment and began to search the apartment.

3. After officers found marijuana in the apartment, I was placed under arrest.

4. Police officers then questioned me about guns they had found outside of the apartment. Prior to asking me questions, they did not read me my rights.

5. In response to police questioning, while under arrest, I made statements to law enforcement officers.

6. Based on my conversations with my lawyer, I believe my rights under the United States Constitution were violated.

WHEREFORE, it is respectfully requested that this Court enter an order suppressing all post-arrest statements.

I declare under penalty of perjury that the foregoing is true and accurate.

Dated: New York, New York
December 6, 2007

CORNELL CARR

